

## **The Parting of the Sulawesi Sea; How U.S. strategy in the region is slowly transforming the multinational environment in Southeast Asia's Terrorist Transit Triangle.**

**By Charles 'Ken' Comer**

**Executive Summary:** While the majority of U.S. efforts in Overseas Contingency Operations (OCO) are focused on the Middle East, Afghanistan, and the Horn of Africa, a supporting yet under-appreciated effort is occurring in the Pacific. These efforts center in Southeast Asia on the tri-border region of the Philippines, Indonesia, and Malaysia around the Sulawesi Sea. This area, more commonly known by the U.S. diplomatic, intelligence, and military communities as 'the T3' -- the Terrorist Transit Triangle -- remains the U.S. Pacific Command's (USPACOM) primary area of interest for Counter-Terrorism in the Pacific, and it's primary focus of bilateral military engagement within Southeast Asia. The three nations on the perimeter of the Sulawesi have never enjoyed particularly good, or workable, bilateral relations for a variety of historic and policy reasons. This three-way distrust is frequently complicated by suspicion of the U.S. and its motives including USPACOM's efforts to lay the framework for multilateral Counter-Terrorist cooperation. Despite the lack of multilateral cooperation among the littoral nations along the Sulawesi, porous borders, under-governance, and some profound geospatial challenges, the U.S. continues to make surprising, albeit incremental and indirect, headway and is even beginning to gain momentum in advancing multinational goals and objectives in Southeast Asia.

### **Looking for a needle in a stack of needles**

The expanse known as the T3 that centers on the Sulawesi Sea (more commonly known as the Celebes Sea in the West) is much larger and more remote than is generally known or appreciated by most Americans. Just the water area of the Sulawesi Sea, which separates the Philippines, Indonesia, and Malaysia, is larger than the combined areas of the states of Texas and Louisiana. Even defining the water area is complicated as the Sulawesi Sea separates two archipelagic nations -- Indonesia and the Philippines -- as well as adjoining the eastern portions of Malaysia. (The Sulawesi Sea connects the Sulu Sea to the northwest to the Pacific to the east around the southern edge of the Philippine island of Mindanao.) To the southwest, the Sulawesi intersects the Makassar Straights, which contains the world's second largest operational Liquid Natural Gas (LNG) field, and is arguably one of the most important waterways for energy security in the Pacific<sup>1</sup>.

Several island chains bisect the T3, providing natural corridors for transit. These corridors are ancient, and provided local inhabitants with trading routes in the pre-colonial era in Southeast Asia. Today, along with legitimate trade, they provide relative safe transit to a mix of criminal and terrorist elements as well as provide for the movement of weapons and personnel to groups connected to both of the most infamous terrorist groups in the region, Jemaah Islamiyah (JI) that operate throughout Southeast Asia, and the Abu Sayaf Group (ASG) in the southern Philippines.

There are four main 'chains' that transit the T3 area. These 'chains' have many unofficial names -- rat lines, infiltration routes, terrorist corridors -- and are frequently referred to differently by Department of Defense (DOD), Department of State (DOS), various Intelligence agencies and Department of Justice (DOJ) officials. Even among the three regional nations no naming

convention exists as no single route affects all three nations and thus, there is no comprehensive perspective of them. In most instances, small local craft, known as 'bonca boats', can easily navigate any of these routes.

From West to East, the first 'route' (Labeled as Route 1) originates/terminates in northern Mindanao or the central Philippines and extends west to the Philippine island of Palawan. Palawan is, in turn, used as a waypoint for transit into the eastern Malaysian city of Sandakan, or another port in the state of Sabah..

The second of these routes, (Labeled as Route 2) a direct line along the island chain known as the Sulu archipelago, is the most obvious and the most infamous. This line originates/terminates in the southwestern Mindanao city of Zamboanga, and continues generally southwest down a chain of islands beginning with Basilan, Jolo, the tiny island of Tapul, Tawi-Tawi, and Sibutu. At this point, this route splits towards either the island of Timbunmata then the Malaysian port town of Tawao, or towards the island of Ligitan and then the Malaysian port of Lahaddatu, or the Indonesian port of Nunukan, or turns back north-westerly towards Sandakan at the terminus of Route 1. The third route (Labeled as Route 3) originates/terminates in southern Mindanao near General Santos City, and crosses the T3 along a group of small islands that lead to Tahuna Island, located off the extreme northeast tip of the island of Sulawesi. From Tahuna, the route follows a southerly path directly to the Indonesian port cities of Manado or Bitung. The passage along this route is greatly aided by the operations of tuna fleets both in the southern Philippines and northern Sulawesi, where crews frequently cross randomly from one side of the route to the other. These crews mix regularly, and many crews maintain families or households in the nations opposite from their native countries.

The fourth and final route is a branch of the General Santos City-Manado route (Labeled as Route 3A), and was only recently brought to light in the wake of sectarian violence in Poso in central Sulawesi in February/March 2007. Weapons and trained cadre intended for Indonesian fundamentalist organizations were being funneled out of the Philippines via this route to support the violence in Poso<sup>ii</sup>. The route itself originates/terminates in the vicinity of General Santos City, as does route number three, but veers southeast. This route sometimes includes an intermediate stop at Karkarekelong Island just inside Indonesian territory, and then proceeds on a southerly course to the Indonesian port city of Ternate, on the island of Halmahera. From Ternate, the route moves in a southwesterly direction and originates/terminates in central Sulawesi, enabling a traveler to avoid the more guarded ports of Manado and Bitung.

### **A legacy of distrust and the "Realpolitik" of the Sulawesi Sea**

Compounding the geospatial challenges of the T3 region, the political situation in the adjoining land areas of all three countries can be described kindly as 'under-governed'. For Indonesia, Malaysia, and the Philippines, the T3 region represents some of the most remote areas from their respective capitals, but also reflects an overall lack of concern for these areas compared to other areas within their nations. In the most general terms, Manila is still overwhelmingly "Luzon" centric, Jakarta "Java" centric, and Kuala Lumpur is mainly concerned with matters affecting peninsular Malaysia. In this instance, there is a direct correlation between the distance to the capital and the central government's concern for day-to-day happenings within the T3.

A direct result of this lack of concern is the lack of resources necessary to make the region governable. The most tangible evidence of this neglect is the paucity of border controls exercised by the three nations in the region. It is not uncommon for a person to travel freely between any of the three without ever encountering a border control agent. Consequently, terrorists and their support elements can largely flow between training areas in Mindanao while

returning to, or transiting, Indonesia and Malaysia en route to other destinations. This freedom of movement enables individuals to blend with the general population, or form networks with other illegal elements to facilitate the flow of persons, weapons, and communication across the T3.

Currently, there is no formal mechanism to facilitate either tri-nation cooperation in the T3 or a U.S.-led multilateral effort -- only an unofficial network of individual military and law enforcement officials from each nation. These informal local networks, connecting mostly by cell phone, are not leveraged on a regular basis. No such link, informal or otherwise, exists between the capital cities. While each nation belongs to the Association of Southeast Asian Nations (ASEAN), and, together with the U.S., are a part of the larger ASEAN Regional Forum (ARF), (both of these bodies contain subcommittees dedicated to maritime security) very little cooperative effort emerges from these forums. This lack of effort to legitimize the borders within the T3 seems to validate the old adage about ASEAN; that it is primarily an economic grouping that is capable of cooperating, but not coordinating.

There are primarily four significant factors for this lack of cooperation that obstruct effective multilateral coordination across the T3.

- 1) Distrust amongst the three nations

The Philippines enjoys fair relations with Indonesia. Much of this has to do with the distances between the outposts of each nation. However, this is not the case with the Philippines' bilateral relationship with Malaysia. The proximity of the end of the Sulu archipelago is within eyesight of the Malaysian State of Sabah. This close proximity, combined with many ethnic Filipinos crossing into Malaysia in search of plantation work, create a tense atmosphere whenever the Philippines and Malaysians sit to discuss bilateral issues. The status of Sabah itself is a source of tension between the two states. Since Malaysia's independence from the United Kingdom in 1957, the Philippines' claim that the British protectorate over Sabah state was actually based on a long-term lease granted by a Filipino Prince, or '*Datu*' (at the heart of the dispute is the interpretation of the Bahasa word of '*sewa*', that depending on the combination of prefixes and suffixes, could be interpreted as either 'rent' or 'lease'). While this claim does not surface often, it serves as a constant backdrop during discussions involving the two nations. Malaysian sensitivity to the issue frequently manifests itself in the form of harsh criticism of Philippine capabilities and policies.<sup>iii</sup> The Filipinos return this disdain. The Malaysian Armed Forces (MAF) served as independent observers in the cease-fire agreement between the Philippine Government and the Moro Islamic Liberation Front (MILF). Relations between the Armed Forces of the Philippines (AFP) and the MAF observers in the southern Philippines were strained until the departure of the MAF in November 30, 2008 following the collapse of peace talks between MILF and the Arroyo government in August after the failed signing of the Muslim homeland deal, and remain so today.<sup>iv</sup> The AFP maintains the MAF observers were consistently more sympathetic towards, and provided information to, the MILF.

Compared to the general condition of Malaysian relations with Indonesia, the Malaysian-Philippines relationship seems congenial. Malaysia and Indonesia share a lengthy maritime border along the opposite sides of the Straits of Malacca and the island areas that surround Singapore. In addition, both nations share a nearly 1000 kilometer land border across the northern third of Borneo Island.

Malaysian and Indonesian armed forces had a famous but short-lived clash in 1964 along their Borneo land border. This flare up, short of a total war, has come to be known simply as '*confrantasi*', or confrontation, and represents the low point in Malaysian-Indonesian relations.<sup>v</sup>

While the militaries of the two nations enjoy more cordial relations today, the memories of 'confrantasi' have not faded completely. In fact, memories of that nearly 45-year-old conflict are rekindled frequently on local media outlets by pandering politicians from both sides.

Along with old tensions there exist a few new ones. One of the most significant involves a territorial dispute of an undersea parcel of land that has a direct impact on bilateral cooperation in the T3. The Ambalat block in the Sulawesi is currently contested between Indonesia and Malaysia. It is located off the coast of the Indonesian province of East Kalimantan and south-east of the Malaysian state of Sabah. Malaysia refers to part of the block as Block ND 6 while part of the East Ambalat Block is referred to as Block ND 7. The sea blocks are rich in crude oil. The dispute over the Ambalat stretch of the Sulawesi Sea began with the publication of a map by Malaysia in 1979 showing its territorial waters and continental shelf. The map drew Malaysia's maritime boundary running in a southeast direction in the Sulawesi Sea from the east most point of the Indonesia-Malaysia land border on the eastern shore of Sebatik Island, thus including the Ambalat blocks, or at least a large portion of it, within Malaysian territorial waters. Indonesia has, like the other neighbors of Malaysia, objected to the map. For its part, Indonesia has never officially announced the exact locations of its maritime territorial limits. Indonesia declared the islands of Sipadan and Ligitan, which both it and Malaysia once claimed and which Malaysia included as part of its territory in its 1979 map, to be its archipelagic base points in June 2002. This effectively put the entire Ambalat area within its internal waters.

This dispute remains the source of much anxiety in both capitals<sup>vi</sup>. The International Court of Justice acted as an arbitrator in the dispute, and in late 2002, the ICJ awarded the two islands to Malaysia based on "effective occupation".<sup>vii</sup> The decision however did not touch on the issue of the Indonesia-Malaysia maritime boundary in that area of the Sulawesi. Despite the decision for the Malaysians, the ongoing status of ownership of Ambalat is an open lesion. Any determination of the ownership of Ambalat, however, requires the maritime territorial limits of two countries to be determined via negotiation.

Ambalat remains the frequent site of naval and air demonstrations by both sides. Malaysia usually gives better than they receive when they are challenged by the Indonesian Navy. In a well-known incident in early 2006, an Indonesian Navy captain ordered his vessel to ram a Malaysian Navy ship out of frustration at being out-maneuvered by his Malaysian counterpart. Consistently coming out second best in these displays of force against Malaysia fuels a good deal of angst and resentment within the Indonesian Armed Forces (TNI).

Another source of tension between Indonesia and Malaysia occurs across the Straits of Malacca. These tensions are based on a wide range of issues ranging from regulation of international traffic that transits the Strait, to a variety of illegal activities that take place along the waterway. At its height in 2007, it was estimated that 30% of the world's piracy took place in the Straits of Malacca.<sup>viii</sup> Taking notice of the rising piracy incidents, Lloyds of London would only insure shipping that transited the Strait at a war-time rate. Trafficking in persons, narcotics, and illegal wildlife as well as cross-border fishing encroachments keep each side blaming the other. Indonesia also harbors lingering suspicions over Malaysia's role in providing arms and safe haven to members of the Movement for a Free Aceh (GAM) in Indonesia's recently concluded armed struggle against these Aceh separatists.

There is an additional unique dynamic in the Malaysian-Indonesian relationship that complicates cooperation in the T3: the question of Malay cultural leadership. The question hinges on which society, the Indonesian or Malaysian, is the truer to the common origin of both cultures. There

is a constant, yet subtle struggle between the societies as to which one is the rightful heir to the title of 'big brother'.

In terms of defending its borders and maintaining practical relations with its neighbors, Indonesia arguably has one of the toughest challenges in the world. Aside from the distrust of Malaysia, Indonesia spreads over three time zones and consists of 17,000 islands. Indonesia, by its definition as an archipelagic nation, possesses the most porous borders in the region that in turn affects all of its relationships with neighboring states. Besides Malaysia and the Philippines, Indonesia also keeps a watchful eye on its land border with Timor L'este (formally East Timor) and Papua New Guinea as well as its maritime border with Australia. Jakarta's relations with the U.S. concerning the T3 and Australia seem characterized by neocolonial concerns and the fear that current Counter-Terrorist efforts mask a desire to divide and re-subjugate the country. As a former U.S. Ambassador to Indonesia said, 'they are a people who enjoy their paranoia'. Sadly, this national paranoia does not extend to the non-U.S. elements that roam the T3 in their overall view of national security. Like Malaysia, the T3 is not a priority for the Indonesian security forces.

## 2) Lack of resources

The Government of the Philippines has long neglected Mindanao and particularly the portions that fall into the Autonomous Region of Muslim Mindanao (ARMM). This neglect extends across the full spectrum of governance; political, social, economic, and military. The Armed Forces of the Philippines (AFP) traditionally is an underfunded military, but even more so since the loss of U.S. grant aid following the removal of U.S. bases in 1992, which in turn led to further underfunding of far-off units and bases in Mindanao. This remained true for the duration of the AFP's operations against the MILF throughout the 1990s. The extent of this underfunding began to come to light for the U.S. following the deployment of the Joint Special Operations Task Force-Philippines (JSOTF-P) to Zamboanga in February 2002. Much to their shock and dismay, the JSOTF-P began to discover how little their assigned partner, AFP's SOUTHCOM<sup>ix</sup>, the Joint Headquarters in the area, actually controlled the AFP units assigned to it. The majority of units, aside from their military ineffectiveness, were tied to economic projects for their own sustainment as well as the enrichment of their commanders. In an infamous incident in 2004, the JSOTF was unable to get AFP SOUTHCOM or the Philippine Navy to perform a maritime intercept of a known ASG target at a fixed location in the open water because the unit intended for the intercept had sold its fuel allocation to local fishermen<sup>x</sup>.

As is the case in the Philippines, Indonesian security forces are chronically underfunded. Another common trait with the Philippines is the economic activities that the Indonesian Armed Forces (TNI) and the Indonesian National Police (INP) engage in to simply make ends meet, as well as to produce profit for their commanders. As in the case of both the Philippines and Malaysia, there is a direct correlation between the distance from Jakarta and the autonomy of security forces along the frontier. A majority of Indonesian naval forces, for example, are tethered to patrol near their bases due both to lack of operational funds and poor material condition. This has particularly serious repercussions for the security for the T3 as the bulk of the Indonesian Navy (TNI-AL) assets are located on the island of Java. The Indonesian naval headquarters with responsibility for the Sulawesi Sea, Eastern Fleet Headquarters is located in Surabaya, nearly 1300 kilometers from the T3.

Malaysia is more of the exception to the rule in terms of resources available to defend its borders and provide material support to counter-terrorism efforts in the T3. The Malaysian Armed Forces and its new Coast Guard are by far the best equipped and trained compared to Indonesia and the Philippines. (For Malaysia, it seems to be more of a question of will, and not

to appear to cooperate too closely with its neighbors or the United States.) The Malaysian security forces remain Malaccan Straits centric, and have so far shown only the most begrudging interest in tri-border cooperation in the T3 beyond defending Ambalat from Indonesian incursions.

The TNI-AL does possess a few scattered small naval bases on the southern rim of the T3. Fortunately, the two largest are located at the terminus of the major infiltration routes. The small TNI-AL base at Nunukan, in extreme northeast Kalimantan, guards the Sulu Archipelago approach; while the second in Bitung, in northeast Sulawesi, guards the General Santos City approach. However, the lack of operational resources usually keeps them close to home.

Virtually the same story exists for the Indonesian Maritime Police (POLAIR), a subordinate element of the INP charged with maritime security. In most cases POLAIR outposts across Indonesia's frontiers are practically collocated with TNI-AL bases, and that is exactly the case for both Nunukan and Bitung. This proximity, however, is not an indicator of any mutual cooperation.

### 3) Intra-service rivalry between governmental agencies and ineffectual coordination

In the wake of the expulsion of Ferdinand Marcos from the Philippines in 1986, the AFP, along with the entire government, underwent a massive restructuring. As part of this restructuring, a small coastal protection force, the embryonic Philippine Coast Guard, divorced itself from the Philippine Navy. Unfortunately, this divorce was not amicable, and both the Philippine Navy and the newly formed Coast Guard felt bitter over the division of bases, vessels, and personnel. The ensuing 22 years have done little to heal this rift. In addition, conflicting missions and muddled lines of responsibility have only intensified raw sensibilities. To the horror of the Philippine Navy, the Philippine Coast Guard is a better funded, albeit smaller organization. While the Philippine Coast Guard's presence in the T3 was small, its communications and coordination with the Philippine Navy, or the AFP regional Command, SOUTHCOM, was non-existent. This situation would later become vastly improved.

Malaysia has much in common with the Philippines in terms of a sense of professional jealousy between its Navy and Coast Guard, except this rivalry is less than three years old. As in the Philippines, the exact roles and missions between the two have yet to be spelled out. There is, however, one significant difference that serves to complicate maritime security on the T3. The Royal Malaysian Police (RMP) has the Counter-Terrorist lead in the country, while the Malaysian Armed Forces, plays only a supporting role. This rivalry too became a struggle for 'turf', but unlike the Philippines, the major area of concern is the T3. Simply put, the RMP view the problems in the T3 more as a transnational crime issue, while the Malaysian Armed Forces view it as a question of national sovereignty. The net result of this struggle does not leave much room for multilateral cooperation.

The extent of cooperation between TNI-AL and POLAIR units are spotty at best along the frontiers, but practically non-existent in Jakarta. Interagency cooperation in Indonesia is practically unknown. To compound this, no less than seven Indonesian governmental agencies claim to have jurisdiction on maritime security operations. Of these seven, the TNI-AL is the sole military organization in the mix. One of the major reasons for such a large number of maritime security partners in Indonesia is simply that the wide range of activities normally performed by a Coast Guard are broken up over numerous Indonesian agencies. In addition, six other administrative governmental agencies claim to have some say so on the nation's maritime security policy.

In an attempt to clarify the situation, the Government of Indonesia mandated one of its planning agencies, BAKORKOMLA, to unify maritime security under one organization, as well as become the lead agency in the creation of an Indonesian Coast Guard. While this move was widely hailed in many circles, the practical effect of empowering BAKORKOMLA may ultimately complicate the process of multilateral coordination. For example, BAKORKOMLA received no clear instruction as to its overall role, a policy making and coordinating body, or an operational one, or some combination. Additionally, it received no authority to subordinate interagency maritime security assets; for example, it has no authority to task TNI-AL forces or develops any policies or procedures that affect them. BAKORLOMLA is left to contend with a group of existing laws that are outdated and are frequently in conflict.

An important, but frequently overlooked factor, aside from that BAKORKOMLA has no counterpart in Malaysia and the Philippines, is the aversion in Indonesian culture for sharing information. Identifying maritime security decision makers from any of the three nations is in itself a challenge, but the existence of BAKORKOMLA almost guarantees any details of coordinating policy of multilateral agreement, or the T3 or elsewhere, would not filter down to concerned subordinate elements without a major cultural shift in governmental procedures.<sup>xi</sup>

#### 4) Corruption

Corruption in the AFP reflects the prevalence of corruption within the government and society as a whole in the Philippines. In Mindanao, corruption within the AFP is present in almost all aspects of its daily existence. Compounding the already endemic problems is the AFP's policy of recruiting locally for career long service for enlisted personnel and noncommissioned officers to serve in that same area. Not only does this tend to entrench AFP units geographically and hinder its mobility for operations, but, again to the dismay of the U.S. forces in the JSOTF-P, operational security (OPSEC) was next to impossible when planning potential AFP operations.

In an odd twist, the lone exception to local recruiting is the Philippine Marine Corps (PMC), which recruits virtually all its personnel from Luzon, and strangely, from the island of Jolo. This policy has drawbacks too: In some instances the PMC appears almost alien when deployed into many of the multi-ethnic territories within the Philippines. While the PMC is able to avoid most (but not all) of the long term economic interests associated with long-time territorial duty, this does not preclude frequent conflict with other national security elements. Most typically, this involves the Philippine National Police (PNP), which frequently clash with the PMC over the control of local marketplaces throughout southern Mindanao.

While corruption too, is still a sad fact of life in Malaysia, its prevalence is far less than that in either Indonesia or the Philippines. However, in far eastern Malaysia, the scrutiny from far away Kuala Lumpur is much more lax. Indonesian fisherman frequently report they must pay bribes, surrender their catch, or both in order to avoid six months or more in a Sabah detention facility, usually without any due process. If Indonesian fisherman can avoid entanglements with the Malaysian Coast Guard or Police, other better financed organizations can as well.

Corruption within Indonesia and its security forces is legendary. The reasons are many, but are almost always associated with the lack of resources for both sustainment and operational purposes of the nation's security forces. Many of the interagency squabbles between the TNI-AL and the POLAIR, and the other maritime security agencies, mostly stem from economic rivalries associated with law enforcement and/or defending the home waters. This is something the TNI-AL informally refers to as 'pirate treasure'. This rivalry has become so intense in some areas, including near Nunukan, that the TNI-AL took upon themselves (without clear authority to do so) *posse comitatus* that enables them to detain both foreign and Indonesian seafarers

suspected to be involved illegal (and legal in some cases) economic activities. Most of these detainees receive no due process and are rarely reported to any Indonesian law enforcement authorities.

### **National outlooks, U.S. Security Assistance around the Sulawesi, and sowing the seeds of multi-national cooperation**

From the U.S. point of view, the need for multilateral cooperation in Counter Terrorism in the T3 seems like a 'no brainer'. On the surface it would seem that multi-lateral counter-terrorist cooperation is in the obvious self-interest of the states involved. However, this all too-common, and oft -communicated sentiment by senior U.S. diplomats and military leaders who speak of CT cooperation, conjures up a much different set perceptions among their Filipino, Indonesian, and Malaysian counterparts.

In many ways, the Filipino point of view on terrorism and multilateral cooperation is more congruent with that of the U.S. than the other littorals, as are its motives in cooperation. The threat posed by a long history of separatists and terrorists in Mindanao who receive training and support from various groups inside Indonesia and Malaysia, combined with its history as a former U.S. colony and current defense treaty partner (albeit, sometimes contentious), provide at least a Filipino context for cooperation with the U.S.<sup>xii, xiii</sup> This condition does not exist in either the U.S.-Malaysian or Indonesian bilateral relationships, and in fact, from their perspectives, cooperation with the U.S. seems almost counter-intuitive.

For Indonesia and Malaysia, issues surrounding maritime security in the T3 are much different. Indonesia was initially slow to awaken to the transnational nature of the threat posed by Jemaah Islamiyah. Indonesia still considered the JI as an internal and regional threat when their violent activities came to light during the communal conflicts in Maluku and Poso, far from the capital in Jakarta in northern and central portions of the archipelago. A majority of Indonesians believe that the JI bombing on October 12, 2002 in Bali, followed in succession by the bombing of the JW Marriott in Jakarta in 2003, the 2004 bombing of the Australian Embassy in Jakarta, and the October 2005 bombing in Bali were more of a matter of JI shifting its attention to U.S. and Western targets in response to the U.S.-led War on Terror.<sup>xiv</sup>

Most Indonesians worry more about foreign-funded extremists infiltrating many of the country's mainstream Muslim organizations (Indonesia is the largest Muslim-majority state, with a population of around 230 million), and are not overly concerned with JI links to other extremist groups, specifically across the Sulawesi Sea into the southern Philippines.<sup>xv</sup> In fact, most feel issues such as illegal fishing, wildlife smuggling, illegal logging, and trafficking were the most serious threats emanating from the Sulawesi.

This view remains puzzling to most U.S. defense officials, but when this is viewed through the prism of national sovereignty, the Indonesian response becomes more focused. The Government of Indonesia estimates that its economic losses due to these illegal activities total nearly \$8 billion USD per year just on illegal fishing, logging and wildlife smuggling.<sup>xvi</sup> In their view, the porosity of their borders and their own inability to adequately manage their borders and seaways effectively constitutes a direct jeopardy to their sovereignty.

Malaysian views are similar to those of Indonesia in terms of the maritime security of the Sulawesi not being CT in nature, but rather more of a law enforcement and sovereignty issue. Malaysia, unlike Indonesia and the Philippines, does not have any active extremist groups operational within its borders, and unlike Indonesia, does not possess a great sense of urgency in counter-terrorism matters in the Sulawesi. In fact, Malaysian representatives in multi-lateral

maritime security formats tend to disengage from counter-terrorist discussions by asserting that terrorism in the region is a problem for Indonesia and the Philippines.

Since 2002, all three nations along the T3 have upgraded their counter-terrorism capabilities. Progress, however, has not been even. Much of the progress for these capability upgrades depends directly on that nation's bilateral relationship with the United States and their eligibility for U.S. foreign assistance. Nowhere has the progress been more rapid than the Philippines, yet it can be argued that it still has further to go. The opposite extreme is Malaysia, which possesses the most capable counter-terrorism forces in the region, but has shown itself the least likely to cooperate bilaterally either in conjunction with its neighbors or the U.S. In the case of Indonesia, it possesses relevant counter-terrorist and maritime capability, but cannot bring itself to do the necessary internal governmental coordination and/or provide the necessary resources to move and sustain assets within the T3.

### The Philippines

Compared to Indonesia and Malaysia, the U.S. and the Philippines enjoy a long and largely positive history together. As one of the five active Defense Treaty Partners in the Pacific, the Philippines enjoy many benefits of direct U.S. military and developmental assistance that Indonesia and Malaysia do not. But this was not always the case.

In the period between 1991 and 2002, the bilateral military relationship was almost non-existent in the wake of the Philippine Senate's decision not to renew the basing rights for Clark Air Force Base and Subic Bay Naval Base. As a result, the Philippines forfeited \$200 million per year in U.S. State Department Foreign Military Financing (FMF) assistance. The AFP heavily relied upon this U.S. grant assistance for virtually all of their acquisition of new equipment. The AFP routinely acquired new equipment, without any logistics support, and then literally drove/flew/sailed it until it was beyond repair, and then acquired something else from the U.S. without any plan for sustainment of these new capabilities. On the U.S. side, as long as the AFP remained content to depend on U.S. grant assistance, and access to these bases remained unhindered, there was really no reason for the U.S. to be prescriptive with its assistance and insist the AFP develop any capability for sustainment. For the U.S., this arrangement came crashing down on the floor of the Philippine Senate in 1991. For the AFP, it marked the beginning of a slow 'death spiral' in terms of their effectiveness, as their budgets were never adjusted to reflect the loss of annual U.S. grant aid. In fact, from 1991 until 2002, there was no restructuring of the AFP of any sort, to include designation of counter-terror units or development of specific counter-terrorism capabilities that could confront the growing threats in Mindanao.

Eleven years into the AFP 'death spiral', the events of 9/11 brought the AFP back into a more practical military relationship with the U.S. The kidnapping of a Kansas missionary couple, Martin and Gracia Burnham, by the Abu Sayaf in 2000 and the anemic response by the AFP to rescue them had already caught the attention of the U.S. It was not until the deployment of the U.S. JSOTF-P to Zamboanga in February, 2002, coupled with renewed interest in the U.S. Congress in terrorism, and the subsequent restoration of FMF administered by the Joint United States Military Assistance Group-Philippines (JUSMAG-P) that the severe deterioration of the AFP and its capabilities truly came to light.

An initial \$8 million of FMF allocations for the Philippines in Fiscal Year (FY) 2002 concentrated on AFP's primary transportation systems. The Philippine Air Force's C-130 and UH-1 Huey fleets, the M-35 2.5 ton truck for the Army, and the workhorse of the Navy, the 78' Patrol Vessel,

were specifically targeted. While it was abundantly clear that the majority of AFP units were ineffectually led and poorly equipped, just getting these marginal troops into conflict areas would immediately improve the AFP's tactical situation against the Abu Sayaf. More importantly, Congress allocated an additional \$25 million of FMF for the Philippines for the creation of Counter-Terrorist capacity building. This initial outlay was followed in FY03 with an additional \$30 million that became the genesis of the AFP's Counter-Terror capability.

Utilizing the Supplemental FMF, JUSMAG-P created the first ever direct action Counter-Terrorism units, the Light Reaction Companies (LRCs) for the AFP, and equally important, a command structure for the LRCs capable of reporting to the Philippine national command authority. The FMF also improved several of the AFP's better tactical organizations by enhancing the Philippine Navy Seals maritime interdiction force, creating a night time insertion capability for the Philippine Air Force, and creating a first-ever secure communications network in Mindanao. USPACOM continues to play a key role sustaining these new capabilities by ensuring that there is plenty of interaction between the newly created or enhanced units and U.S. military counterpart units deployed or passing through the region. This was intended to help ensure some degree of continuity, and helps preclude another 'death spiral' by leaving the AFP without its own means to sustain their new capability.

A new and somewhat controversial DOD program came into existence in 2006 to create Counter-Terrorist capacity with nations that cooperated with the US in the GWOT. This program allowed DOD for the first time to utilize drawdown authority from its own budget to arm and assist other nations. Known as '1206', in reference to the congressional authorization section, this program has become a bonanza to USPACOM in its efforts to enhance cooperation within the T3. For both 2007 and 2008, the Philippines has garnered nearly \$30 Million in '1206' allocations, primarily designed to provide a first-ever Common Operating Picture (COP) to AFP decision makers to act on real-time or near-time intelligence against terrorist or transnational threats in the T3.

### Malaysia

Malaysia, because of its resources and relatively advanced security forces compared to Indonesia and the Philippines, already possesses a reasonably advanced Counter-Terrorist capability. The Malaysian Navy and Coast Guard possess new and technically advanced equipment and communications systems that allow them to conduct complex maritime interdiction missions. As previously mentioned though, getting Malaysia to cooperate in the T3, in either a law enforcement or military capacity in a constructive multilateral manner, remains a serious challenge.

Additionally, because of its high per capita income, nearly \$20,000 USD, Malaysia is ineligible for U.S. grant aid, FMF, or other forms of traditional military assistance. However, under the policy that governs DOD's '1206' drawdown authority, Malaysia, because of its past discreet cooperation with the U.S. on Counter-Terrorism, is eligible for this one form of assistance. In an important development, the Malaysian Ministry of Defense, over the strenuous objections of the Malaysian Armed Forces, signaled its willingness to accept U. S. assistance to help develop Malaysian maritime capacity in the T3. This is significant, as the Malaysian Armed Forces continue to maintain a healthy skepticism of U.S. motives for assistance and cooperation.

Malaysia, via '1206', is currently developing six Integrated Maritime Surveillance Systems (IMSSs) along the western edges of Sabah which in turn connect to a central Command and Control center in order to develop and exploit a Common Operation Picture within the T3. This capability, funded with FY 2007 and 2008 allocations, totaled nearly \$35 million.

## Indonesia

The Indonesia military-to-military relationship with the U.S. remains the most tortured of all the bilateral relationships in the region. Yet it possesses the greatest potential for progress in controlling the flow of terrorists and their support in the T3 and beyond. The relationship is tortured for reasons beyond the challenges previously outlined, and takes on additional political and diplomatic challenges for an even greater degree of complexity. This relationship remains captive to Indonesia's past, and centers on the Indonesian security forces' past human rights abuses in Timor L'este, Aceh, and other locations under its former dictator, President Sukarno. These dynamics severely handicap Counter-Terrorism cooperation in the T3. Strong lobbies in the U.S. Congress remain dedicated to forcing Indonesia to account for past abuses, and are not swayed by modern Indonesian democratic progress or a military currently under civil control.

In 1992, the U.S. imposed military sanctions on Indonesia in response to a November 1991 massacre in Dili, East Timor of pro-independence protestors. These sanctions were further tightened in 1999 when TNI sponsored militias created havoc across then East Timor after the Timorese people voted for additional autonomy in a referendum that eventually led to the nation's self-determination. The Indonesian Army's Special Forces, known as KOPASSUS, stood accused of having a hand in both incidents, as well as a long history of political kidnappings and disappearances throughout Indonesia.

In the wake of 9/11 and a growing awareness of the dangers posed by the Al-Qaeda-linked Jemaah Islamiyah (JI) and its operations in Southeast Asia, the Secretary of State initiated a request that military sanctions be lifted, that was quickly approved by Congress, and became effective in November 2005. In FY 2006, Indonesia received \$922,000 in FMF from Congress, but because of its human rights record, that allocation was designated only for maritime security and capacity development to enable the TNI to respond to disasters. These constraints on the use of FMF in Indonesia remain today. While it limits rebuilding the overall military relationship, it does make opening up avenues for cooperation with Indonesia on maritime security somewhat easier.

Indonesia, because of the challenges of the T3, became the largest beneficiary of DOD's '1206' program in the Pacific. Thus far, Indonesia received allocations for FY 06, 07 and 08 totaling nearly \$47.3 million. For its allocation, Indonesia, like Malaysia and the Philippines, is creating a chain of Integrated Maritime Surveillance Stations (IMSSs) that string along the Straits of Malacca from the western tip of Sumatra to near Singapore, and from Nunukan, around the southern edge of the Sulawesi Sea to Ternate, ringing the southern edge of the T3. In addition the Indonesian navy will receive 15 similarly-equipped mobile packages to install on their ships, creating a maritime interdiction capability. Like Malaysia, Indonesia is creating several forward command and control headquarters that can collect the data from the IMSS positions, and create a COP for Indonesian decision makers. Finally, Indonesia is scheduled to receive a specialized maritime surveillance aircraft with a broadband transmission capability that would enable the IMSS to see what the aircraft does.

### **Connecting the dots, and a rough beginning for USPACOM**

USPACOM began to fully recognize the scope of challenges in fostering multilateral cooperation, for CT or almost anything else, and faced a steep learning curve. Not surprisingly, PACOM's initial efforts to facilitate a spirit of cooperation amongst the littorals were anything but smooth. USPACOM's initial concept was known as "SEAMS" - for South East Asia Maritime Security. It was reportedly briefed to ADM Fargo, then Commander of PACOM, on the back of a cocktail napkin by a naval aviator who had considerable experience in the Caribbean working

similar maritime coordination challenges in the counter-drug arena. This 'Caribbean Model' was something Admiral Fargo was familiar with because of his previous position as CINCLANTFLT Operations Director. The PACOM version of this initiative was designed to help secure the Straits of Malacca and other vital waterways that were tailored to the region, and eventually was re-named "RMSI" or Regional Maritime Security Initiative.

The RMSI initiative didn't last long, and met a very public and noisy end shortly after Admiral Fargo's annual Congressional Testimony in 2003. Fargo's testimony produced several misquotes and misrepresentations<sup>xvii</sup> as to the overall purpose and scale of the RMSI initiative that were widely reported in the media. Even worse for PACOM, many of these misconceptions were picked up and amplified by a largely sensational regional media. In Manila, Jakarta, Kuala Lumpur, and even the usually supportive Singapore, governments were shocked, insulted, and felt their sovereignty was directly threatened by what they believed was the U.S. openly questioning their ability to control their own sea lanes, along with the prospect of U.S. Navy ships in their home waters. This public relations disaster cost PACOM dearly in terms of winning over regional perspectives of U.S. intentions in the region and caused considerable strategic-communications setbacks for the next three years.

To their credit, PACOM, OSD, and the State Department had learned their lessons over the ultra-sensitivity to issues of sovereignty in the region, and quietly began to reengage the region with low-profile regional capacity-building programs as well as sponsoring numerous multilateral venues to help build domain awareness, first in the Straits of Malacca and later in the Sulawesi Sea in order to help these states better enforce their own laws. The Joint Interagency Coordinating Group (JIACG), organized under the PACOM J-5, responsible for Plans and Policy, led the way in terms of US efforts to slowly kindle the fires of regional cooperation in maritime security and/or Counter-Terrorism cooperation. JIACG, with the assistance and input of PACOM representatives assigned to the region, took an indirect course, in an effort to 'draw out' and identify various decision-makers hidden in the bureaucracies of the littoral's various governmental agencies, but more importantly to smooth over and not re-enflame nationalistic sentiment and issues of sovereignty brought on by PACOM's failed RMSI.

On the surface, this appeared to be a severe reduction of USPACOM's role in fostering cooperation in the region, and gave the appearance that PACOM was simply utilizing DOD's Counter-Terrorism funds to subsidize as many maritime security enhancement-concept venues amongst the littorals as possible. These three nations, with substantial encouragement from diplomats and U.S. military assigned to the region, combined with JIACG sponsored events, slowly and deliberately encouraged the littorals' reengagement on cooperation. The JIACG rarely passed up any opportunity to insert itself into discussions of multi-lateral security in Southeast Asia and utilized and facilitated numerous maritime security workshops to bring the nations' various agencies with interest in maritime security together. JIACG also utilized the ASEAN Regional Forum (ARF) to socialize concepts and share lessons learned in order to gain momentum for the concept. Slowly but surely, and step by step between late 2005 and 2009, JIACG's efforts began to help re-shape perceptions in the region, building a sense of domain awareness and opening many regional eyes to the great potential in a more formal system of multilateral cooperation.

Much to their credit, the Philippines led the region in building a comprehensive network of inter-agency cooperation that balances surveillance, communication, and interdiction across the Philippine portion of the T3. Based on the famed Australian Coast Watchers of World War Two, the Philippines have inaugurated their own version named Coast Watch South (CWS). Signed into effect by Department of National Defense Order #36 on November 29, 2006, CWS

represents the first formal effort by one of the littoral state to establish an inter-agency mechanism to secure the three southern corridors against terrorist and insurgent cross-border movement, to include drug traffickers, arms smuggling, and human trafficking; and deny terrorist and insurgent sanctuaries in and around the border region. CWS has USPACOM's enthusiastic support, and is also the recipient of a good deal of the Philippine's U.S. military and law enforcement grant assistance that provide substance to the overall concept<sup>xviii</sup>. Another PACOM approach to multi-lateral maritime security in Southeast Asia was law enforcement, led by the Joint Interagency Task Force West, or JIATF-W, that brings together military & law enforcement capabilities in order to combat drug-related transnational crime in the region. ASEAN leadership recognizes that Transnational Criminal Organizations (TNCOs) pose a direct challenge to their sovereignty through their ability to exploit national borders.

JIATF-W operates in a unique niche as a primarily military-funded organization with a law enforcement mandate, which is constantly challenged by 'color of money' issues and Congressional restrictions. However, this odd structure actually fits with many of the foreign law enforcement and some military agencies that have a hand in some aspect of law enforcement. While separate from JIACG's efforts, JIATF's initiatives are generally mutually supporting.

Apart, but deliberately, congruent with other USPACOM initiatives in Indonesia, is the U.S. Department of Justice International Criminal Investigative Training Assistance Program (ICITAP), who have their own interests in the matter of Indonesian Intra-Agency Cooperation. ICITAP Jakarta interfaces daily with the bureaucratic maze developing at BAKORKOMLA, , and is undertaking its own initiative designed to untangle, and make some initial steps in promoting, inter-agency cooperation amongst Indonesian agencies (11 non-military agencies within various parts of the Indonesian Government) with interest in maritime security.

Indonesian maritime security stakeholders have begun to realize that their own bureaucratic infighting has done little to detangle conflicting and overlapping authorities, and realize to see the need for a fresh approach. These actions, developed and assisted by ICITAP beginning in early 2009, are collectively known as the 'Tarakan Initiative' and represent a significant cultural shift in sharing basic goals and objectives that concern stakeholders of maritime security within the government of Indonesia.

The initial meeting of this new initiative brought together the Indonesian National Police, the Department of Transportation for Sea Transportation (which controls the Ports Authority, and an independent Search and Rescue arm, known as KPLP), the Department of Customs, Department of Immigration, prosecutors, Quarantine officials, the Ministry of Fisheries, and representatives of the Indonesian Navy to:

- 1) Identify the problems within the Sulawesi from their individual perspectives.
- 2) Identify tasks and roles.
- 3) Identify solution sets.
- 4) Identify what each agency could contribute to the solution identified in terms of experience and assets.

The initial session went far better than hoped, and with the exception of the Indonesian Navy, displayed a greater degree of cooperation than previously seen by long time Indonesian observers. In a very un-Indonesian departure from defense of 'turf', they agreed that inter-agency cooperation is needed, and further agreed to work together with ICITAP as a facilitator and coordinator to support U.S. grant aid (specifically 1207/1210)<sup>xix</sup> through the newly renamed Maritime Security Section, more recently known as the Maritime Police Special Boat Unit.

Further, and in a break from similar past gatherings, the group agreed that while simple inter-agency cooperation was good, the issues facing the region could not be solved without the cooperation of Malaysia and the Philippines. Their desired end state -- an intra-agency, multinational cooperation of the littoral states to secure the T3 waterways.

The 'Tarakan Initiative' group re-validated the issues on the minds of the government agencies in Indonesia -- that illegal fishing, logging, smuggling, and various forms of trafficking are more serious threats to the nation's sovereignty than countering terrorism. This group is also trying to move into the multi-national arena, and at a recent ASEAN Regional Forum (ARF) in Manila, agreed to an upcoming concept development conference to test the concept with Malaysia and the Philippines. These initial discussions in Puerto Princessa City, Philippines on 15 and 17 June, 2009 at a preliminary planning workshop called the Trilateral Interagency Maritime Law Enforcement Workshop (TIAMLEW) resulted in a follow up conference that featured a theoretical transnational criminal activity to facilitate thought and discussion. ICITAP Indonesia and ICITAP Philippines facilitated the follow-up TIAMLEW, again in Puerto Princessa, Philippines, July 28-31, 2009 in collaboration with U.S. Pacific Command. The TIAMLEW was attended by eighty (80) maritime security law enforcement and military participants from Indonesia, Philippines, Malaysia, U.S. Pacific Command, Offices of Defense Cooperation from Jakarta, Kuala Lumpur, and Manila, and JIATF West Honolulu.

This was the first maritime security law enforcement conference where United States Department of Justice ICITAP and U.S. Pacific Command had collaborated to facilitate a law enforcement specific conference to address issues in the tri-lateral region. The theme of the conference was to identify challenges and opportunities of maritime law enforcement agencies in the Tri-Border Region to make recommendations for appropriate actions by policy makers.

As a result of free play during the TIAMLEW, the littoral participants began to understand current and potential technological and solution sets and develop their own responses to what they should do. For the first time, key facilitators for the nations on the T3 began to have open discussions on such key issues as: Overlapping jurisdictions and complex regulatory issues created for law enforcement efforts; recognition that effective Maritime Law Enforcement requires an interdisciplinary approach; the necessity for development of a complete and common operating picture for each country to enhance operations; the importance of Information management – which includes gathering, validation, and sharing as a key enabler for timely decision making and effective, efficient positioning of scarce assets for maximum coverage; and most importantly, a building block approach to eventually enable the mutual attainment of collective goals and objectives.

## **Conclusions**

The challenges imposed by the geospatial and political aspects to effective Counter-Terrorism cooperation in the T3 are daunting, but far from insurmountable as events have shown. Through its grant aid programs, the U.S. is slowly leading the reluctant regional partners towards a more practical and constructive relationship that will lead to effective cooperation in the future. Practically all of the '1206' imagery and communications equipment for all three nations are from a common supplier. The technical cornerstones are being placed for a regional Common Operating Picture, although the political will to 'switch on' that capability amongst Indonesia, the Philippines and Malaysia does not yet exist. However, the prospects for such future cooperation are much brighter than only a few years ago.

USPACOM's indirect approach to multilateral maritime security cooperation, which will inevitably lead to Counter-Terrorist cooperation in the Sulawesi, is beginning to make a real change in perceptions in Indonesia, Malaysia, and the Philippines concerning the viability and practicality of cooperation. PACOM's recognition of the fierce nationalism and hyper-sensitivity over sovereignty, combined with its own more sober assessment of the timeline necessary to achieve this cooperation was a bitter pill to swallow initially, but in turn has produced at many levels a more mature approach to PACOM's bilateral relationship with each of the littorals.

DOD, DOJ, and USPACOM must, at the strategic level, continue to focus on strengthening both the interagency process within these nations to shape the regional environment, as well as continue to provide multiple opportunities for the militaries to come together, foster dialogue, and move towards multilateral exercises. In addition, USPACOM provides educational seminars that identify regional leaders and build stronger networks. While there is still much to be desired in the current situation, one only has to look at the situation in the days following 9/11 to see the great strides that have been made.

This success however, if exploited too aggressively, can potentially place USPACOM into a similar position post RMSI, this time as a victim of its own success. A real danger exists as it continues to move forward to build multi-lateral cooperation in the region. As it becomes more obvious in the region that PACOM's 'indirect approach strategy' utilizing JIAFT-W to foster multi-nationalism may well frighten off regional law enforcement agencies concerned over how their cooperation with the U.S. military fit into their own government's parameters on partnering with foreign organizations, the U.S. must dampen the perception that PACOM is becoming too much of a 'cop', and not a partner of the region's militaries.

PACOM's objectives may be more easily attained, and ultimately a more productive bilateral relationship achieved, if they develop more collaborative strategies and approaches that capitalize on regional law enforcement agencies strengths and partnerships. PACOM is not in a position to do it all, and can inadvertently marginalize potential regional law enforcement if it raises its profile. Without more formal consultation with DOJ, it could easily overplay its hand. PACOM should avoid another trap as well -- the temptation to insert ready-made Standard Operating Procedures (SOPs) or other international 'best practices' documents in order to demonstrate 'what right looks like'. This all too frequent tactic is almost always interpreted as U.S. arrogance, and usually viewed as intrusion on national sovereignty.

Much better, albeit slower results, are achievable if additional time was devoted to individual follow-up with key regional law enforcement and military leaders in order to solicit their views on what can be approved upon from what's been learned from the previous multilateral activities and exercises. In addition, some time needs to be devoted to allowing the littoral partners to understand current and potential technological solution sets and develop their own responses to what they should do.

Indonesia, and its progress towards overcoming its own internal obstacles to inter-agency cooperation, is likely the center of gravity for full regional cooperation. The office of ICITAP in U.S. Embassy Jakarta, through the 'Tarakan Initiative' is the most promising development to bring some order into Indonesia's complicated inter-agency process. If only moderately successful, it would mark a substantial pyridine shift in the culture and pave the way for broader inter-agency cooperation, both domestically and in the context of regional cooperation.

Ultimately, the nations themselves will not come fully on board until they collectively realize it's in their best interest. The challenges posed by centuries of distrust, corruption, under-governance, and conflicting jurisdictions remain. Given the historical animosity and the

underlying causes of tension in the area, these U.S. led efforts are definitely long term objectives that will not be achieved overnight. While the primary reasoning and motivations vary among the nations of the T3, precedent and organizational mechanisms are likely to be set in place that could easily grow into the Counter-Terrorist role that could spell the end of many of the region's violent extremist groups. However, success is achievable if the U.S. has the political savvy to remain as an indirect leader or facilitator in this process and remember the keys to success in the region; Presence, Persistence, and Patience.

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<sup>i</sup> Indonesia's LNG fields at Balikpapan, on the eastern side of Borneo, supply Japan with almost half its consumption and its shipping lanes must pass through all three littoral nations' territory in the Sulawesi.

<sup>ii</sup> Most of the weapons from the conflict can be traced to the most notorious arms market in the region, the Sulu Arms market in the southern Philippines. 'What makes the Sulu market unique is its longevity which is measured in centuries. In modern times, guns from the area supply conflicts and crime from Japan to Sri Lanka to Papua New Guinea and beyond; and in turn the world pours guns and ammunition into Mindanao, the Maluku (Moluccas) Islands, and to a lesser extent, Malaysia and the rest of the Philippines. Like most black arms pipelines, the Sulu Arms Market is intertwined with piracy, terrorism, and the traffic of other illicit commodities. Criminal gangs, communists, Moro independence groups, and Islamic militants are all major players in the market, making it a security problem for at least five Association of Southeast Asian Nations (ASEAN) member states'. From unpublished Dissertation Paper 'Arms Trafficking in the Sulu Region and National Responses to a Regional Problem', by Major Lino Miani, U.S. Army, Olmsted Scholar, University of Malaya, 2009.

<sup>iii</sup> The Philippine government first appealed to the Johnson Administration over the fate of Sabah in 1964. The U.S. addressed it as a secondary issue, as its primary focus was the upcoming 1965 Presidential elections in the Philippines. The U.S. took up the matter because the Philippines contributed an engineer battalion to the war effort in Vietnam because the policy of 'more flags in Vietnam' became increasingly important to President Johnson. From *Foreign Relations of the United States, 1964-1968, Volume XXVI, Indonesia; Malaysia-Singapore; Philippines*, Edited by Edward C. Keefer, 2001.

<sup>iv</sup> Relayed to the author by then Colonel Victor Felix, Chief of Staff of AFP SOUTHCOM. Now Brigadier General Felix remains the highest ranking Muslim within the Philippine Army. Then Col Felix was selected to attend the US Army War College in Carlisle Barracks, PA in 2004.

<sup>v</sup> From January-November 1964, President Sukarno of Indonesia initiated a policy of confrontation, or 'confrontasi', waging a low-level guerrilla war against Malaysia over Indonesian claims in North Borneo, an area now known as the Malaysian province of Sarawak.

<sup>vi</sup> Inter Press Service (IPS) INDONESIA-MALAYSIA: From Gunboat Diplomacy to Talks Over an Island, by Kalinga Seneviratne, 18 March, 2009.

<sup>vii</sup> Energy Security and Southeast Asia: The Impact on Maritime Boundary and Territorial Disputes. Harvard Asia Quarterly. Fall 2005.

<sup>viii</sup> Before 2007, the Straits were the center of maritime piracy. Now, that distinction has shifted to the Somali pirates in the Gulf of Aden. In 2008, only 28 cases of piracy were reported in the Straits. This decrease in piracy is generally attributed to the effects of the Indian Ocean Tsunami, which literally wiped out many of the GAM pirates, as well as the increased patrolling activity of the littoral states, and the dedication of additional patrolling assets by both the Indonesian Navy (TNI-AL) and the Indonesian National Police, Maritime Police (INP-MP). Provided by Mr. Jerry H. Heuett, Jr, Chief of International Criminal Investigation Training Assistance Program (ICITAP), U.S. Embassy Jakarta.

<sup>ix</sup> On 28 August 2006, GHQ Armed Forces of the Philippines (AFP) issued a General Order that split the former SOUTHCOM, and establishing Western Mindanao Command, or WESMINCOM (WMC), and Eastern Mindanao Command or EastMinCom (EMC). With the focus on several insurgent/terrorist threats spread throughout that AOR, to include mainland Mindanao, Basilan and Sulu archipelago, it was difficult for a single unified command to cover so vast an area. The AFP's intent was to split, giving each command their own AOR on which to focus resources, along with a threat focus. While both new commands still retaining focus on the MILF, it also split the

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NPA and ASG/JI threat to EMC and WMC. This was particularly important with regard to the Basilan/Sulu side areas. Made absolute sense, and facilitated unity of effort and command. Another point to note, is that WMC has become a very Philippine Marine Corps (PMC) centric command, with all three PMC brigades assigned to WMC's AOR, 1st Bde on Basilan, and 2d/3d Bdes in Sulu, making the current WMC Cdr a PMC 3 star (only one on active duty). The AFP believes that this concept may also serve to validate a Fleet Marine Concept that the Philippine Navy (PN) is considering. Information provided by LTC Rick Riker, JUSMAG-Philippines.

<sup>x</sup> This incident occurred while the author was assigned to JUSMAG-Philippines, and raised many questions concerning the effectiveness, and even the seriousness, of the AFP operations against the Abu Sayyaf, questions of corruption within the AFP, and highlighted how little control the Philippine Army (PA) dominated SOUTHCOM had over Philippine Navy (PN) assets assigned to the region.

<sup>xi</sup> There is also an ongoing intense struggle amongst the Indonesian Navy (TNI-AL), the Indonesian National Police, Maritime Police (INP-MP), and the Department of Transportation-Sea Transportation (DGST-KPLP) over what authorities each will have. Senior Indonesian officials have stated that the legal, regulatory and administrative hurdles will likely not be resolved for the next year. .

<sup>xii</sup> The U.S.-Philippines bilateral relationships far from smooth, and the U.S.-Philippine Status of Forces Agreement, called the Visiting Forces Agreement (VFA) is frequently the subject of a great deal of political theater, however the overall bilateral relationship remains by far the strongest and most transparent amongst the nations of the T3.

<sup>xiii</sup> In Mindanao, recruiting, training, indoctrination financial and operational links between the Jemaah Islamiyah and other militant groups, specifically the Abu Sayyaf Group (ASG), the Moro Islamic Liberation Front (MILF), the Misuari Renegade/Breakaway Group (MRG/MBG) and the Philippine Raja Solariman Movement (RSM) remain active.

<sup>xiv</sup> More alarmingly, in mid-2008, U.S. Embassy Jakarta's internal Indonesian polling data revealed that 60% of Indonesians believe the U.S. was singularly responsible for the Global War on Terror.

<sup>xv</sup> 'Extremists Infiltrating Mainstream' Article from Jakarta Globe in English, by Joe Cochrane, April 3, 2009.

<sup>xvi</sup> Provided by ICITAP, U.S. Embassy Jakarta.

<sup>xvii</sup> It remains unclear whether the misquotes were within Fargo's testimony and then reproduced in the media or the media misquoted him.

<sup>xviii</sup> Philippine Star, Pentagon confirms support to AFP coast watch in South, by Jamie Laude, July 10, 2009

<sup>xix</sup> In 2006, Congress passed section 1207 of the FY 2006 National Defense Authorization Act, which authorized the transfer of up to \$100 million in 2006 and 2007 from the Secretary of Defense to the Secretary of State for programs that support security, reconstruction or stabilization. Section 1207 was renewed for an additional \$100 million in 2008 and again in 2009. The 1207 authority is intended to improve U.S. capacity and interagency coordination for immediate reconstruction, security or stabilization assistance to maintain peace and security in countries that are unstable. Section 1207 has a strong civil-military coordination and cooperation component, which means that it focuses on reconstruction and stabilization via civilian coordination with the security sector and civil society. From U.S. State Department website.